

By



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/684,396

10/15/2003

Simon James Joyce

1444.1001C3

4432

21171

7590

11/15/2005

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

TRAN, QUOC DUC

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/684,396

Applicant(s)

JOYCE ET AL.

Examiner

Quoc D. Tran

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 19-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) 8 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Response to Amendment**

#### ***Election/Restrictions***

1. Newly submitted claims 19-56 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: applicant original claims, mainly, claims 1-16, are directed to a method and system for crediting (i.e., recharging or replenishing) an account by obtaining additional fund from another account. Newly added claims 19-56 are directed to a method and system for providing communication services and transactions using the pre-authorized account.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 19-56 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

#### ***Claim Objections***

2. Claims 8-9 are objected to because of the following informalities: improper dependency. These claims should be depending on claim 7 as previously presented. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lesley (6,188,752) in view of Walker (5,825,863).

Consider claim 1, Lesley et al teach a method of crediting a pre-authorized account (i.e., pre-paid account) of a user having an account, comprising: sending a request message to the user at a receiver that the account needs additional funds (col. 8 lines 42-46); receiving a response message from the user using the receiver requesting additional funds be added to the pre-authorized account in accordance with the request message (col. 8 lines 55-60); authenticating at a platform, using a password and a number unique to the user, that the user is associated with the pre-authorized account and identifying another account from which the additional funds are to be drawn (col. 6 line 60 – col. 7 lines 13); and after authentication that the user is associated with the pre-authorized account, obtaining the additional funds from the another account to be added to the pre-authorized account (col. 9 line 31 – col. 10 line 22).

Lesley did not clearly disclose whether the additional fund is withdrawn or debited from the other account in real-time. However, Walker suggested a prepaid calling card account having a linked credit account that continuously recharge the prepaid account. Thus, it is clearly suggested debiting from the linked credit account in real-time.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Walker into view of Lesley in order to enhanced funding transactions.

Consider claim 2, Lesley teaches wherein the receiver is a wireless phone (col. 4 lines 31-42).

Art Unit: 2643

Consider claim 3, Lesley teaches wherein the receiving the response message includes receiving in the response message another number that is usable to obtain the additional funds from the another account (col. 9 lines 7-30).

Consider claim 4, Lesley teaches authenticating at the platform, using the password, the number unique to the user, and the another number, that the user is associated with the pre-authorized account and identifying the another account from which the additional funds are to be drawn (col. 6 line 60 – col. 7 lines 13).

Consider claim 5, Lesley teaches the method further comprising establishing an identification of the user using the password and the number unique to the user (col. 6 line 60 – col. 7 lines 13).

Consider claim 6, Lesley teaches wherein the sending the request message comprises sending the request message to the user at the receiver according to a stored record identifying the receiver associated with the user (col. 9 lines 7-30).

Consider claim 17, Lesley teaches the method of claim 1 comprising a computer readable medium included with instructions (see Fig. 1).

5. Claims 7-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lesley (6,188,752) in view of Taskett (5,991,748) and further in view of Walker (5,825,863).

Consider claim 7, Lesley teaches a method of crediting a pre-authorized account of a user, comprising: sending a request message to the user at a receiver that the pre-authorized account needs additional funds (col. 8 lines 42-46); receiving a response message from the user sent from the receiver and including a number associated with the user (col. 8 lines 55-60); and

Art Unit: 2643

receiving the additional funds obtained from the another account to be added to the pre-authorized account (col. 9 line 31 – col. 10 line 22).

Lesley did not clearly disclose sending a request from a first platform to a second platform to obtain the additional funds from another account associated with the user and disposed on the second platform. However, Taskett suggested such (col. 5 lines 29-51; col. 6 lines 18-35).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Taskett into view of Lesley in order to obtain authorization for the fund transferring transactions.

Lesley did not clearly disclose whether the additional fund is withdrawn or debited from the other account in real-time. However, Walker suggested a prepaid calling card account having a linked credit account that continuously recharge the prepaid account. Thus, it is clearly suggested debiting from the linked credit account in real-time.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Walker into view of Lesley and Taskett in order to enhanced funding transactions.

Consider claim 8, as discussed above, Lesley teaches the method further comprising authenticating at the first platform that the user is associated with the pre-authorized account, wherein the sending the request from the first platform to the second platform occurs if it is authenticated that the user is associated with the pre-authorized account (col. 9 lines 7-30).

Consider claim 9, Taskett teaches the method further comprising establishing at the first platform an identification number associated with the user, wherein the authenticating the user comprises authenticating the user using the established identification number (col. 4 lines 35-50).

Consider claim 10, Lesley teaches a method of crediting a pre-authorized account of a user, comprising: receiving at a first platform an identification number and a password using a receiver (col. 8 lines 55-60); authenticating the user at the first platform using the identification number and the password (col. 6 line 60 – col. 7 lines 13); sending a message to the user at the receiver indicating that the pre-authorized account needs additional funds (col. 8 lines 42-46); if the user is authenticated and if the user has responded to a message indicating that the pre-authorized account needs additional funds, and adding the additional funds from the determined another account to the account (col. 9 line 31 – col. 10 line 22).

Lesley did not clearly disclose determining another account on another platform from which the additional funds are to be obtained to be included in the account. However, Taskett suggested such (col. 5 lines 29-51; col. 6 lines 18-35).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Taskett into view of Lesley in order to obtain authorization for the fund transferring transactions.

Lesley did not clearly disclose whether the additional fund is withdrawn or debited from the other account in real-time. However, Walker suggested a prepaid calling card account having a linked credit account that continuously recharge the prepaid account. Thus, it is clearly suggested debiting from the linked credit account in real-time.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Walker into view of Lesley and Taskett in order to enhanced funding transactions.

Consider claim 11, Lesley teaches a system for use in crediting a crediting a pre-authorized account of a user using another account not on the system, the system comprising: a storage device including a first user account (col. 6 lines 60-64); a first platform unit which receives a first unique number from a user sent from a receiver disposed outside of the system, sends the first unique number to a second platform unit for use in verification of the user (col. 7 lines 9-25), establishes a connection with the user at the receiver to provide a request message indicating that a first user account associated with the user has an amount below a predetermined value (col. 8 lines 42-46), and receives a response message from the user in response to the request message and including a second unique number for use in adding an amount to the first user account (col. 8 lines 55 – col. 9 line 30); and receives a replenishment amount from the another account that is added to the first user account (col. 9 line 31 – col. 10 line 22).

Lesley did not disclose a second platform unit which receives the first unique number to authenticate that the user is associated with the user account, wherein if the second platform unit authenticates the user using the first unique number and the first platform unit receives the second unique number in the response message, one of the first and second platform units sends: a replenishment message outside of the system to another account associated with the user and disposed on a platform external to the system. However, Taskett suggested such (col. 5 lines 29-51; col. 6 lines 18-35).



Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Taskett into view of Lesley in order to obtain authorization for the fund transferring transactions.

Lesley did not clearly disclose whether the additional fund is withdrawn or debited from the other account in real-time. However, Walker suggested a prepaid calling card account having a linked credit account that continuously recharge the prepaid account. Thus, it is clearly suggested debiting from the linked credit account in real-time.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Walker into view of Lesley and Taskett in order to enhanced funding transactions.

Consider claim 12, Lesley teaches wherein the one of the first and second platform units further determines, using the received first and/or second unique numbers, the another account from which the replenishment amount is to be received (col. 9 lines 7-30).

Consider claim 13, Lesley teaches a platform which changes amounts in accounts associated with users, the platform comprising: an interface that receives, from a plurality of external networks of different types (Fig. 1), a requesting message from a user at a receiver disposed outside of the platform requesting an increase in an amount stored in an account associated with the user (col. 8 lines 1-10); a verification module that authenticates that the user is associated with the account so as to allow an increase or a decrease in the amount in the account (col. 8 lines 45); and a processor that, if the user is authenticated as being associated with the account, determines another account associated with the user according to the requesting message (col. 6 line 60 – col. 7 lines 13).

Lesley did not disclose sending a top up request outside of the platform to the determined another account to obtain an additional amount to top up the account, and, if the additional amount is received from the another account, allows topping up the account using the additional amount, wherein the platform is outside of the plurality of external networks of different types, and the account being topped up is stored on a billing platform other than another platform on which the another account is stored. However, Taskett suggested such (col. 5 lines 29-51; col. 6 lines 18-35).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Taskett into view of Lesley in order to obtain authorization for the fund transferring transactions.

Lesley did not clearly disclose whether the additional fund is withdrawn or debited from the other account in real-time. However, Walker suggested a prepaid calling card account having a linked credit account that continuously recharge the prepaid account. Thus, it is clearly suggested debiting from the linked credit account in real-time.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Walker into view of Lesley and Taskett in order to enhanced funding transactions.

Consider claim 14, Lesley teaches wherein the verification module uses a password sent from the user at the receiver to verify that the user is associated with the account (col. 9 lines 7-30).

Consider claim 15, Lesley teaches a platform which provides communication services and changes amounts in accounts associated with users, the platform comprising: an interface

Art Unit: 2643

through which a top up message and a requesting message are transmitted with respect to a user using a receiver disposed outside of the platform (Fig. 1); a storage unit which stores an account value associated with the user (col. 6 lines 60-64); and a processor which performs billing of the account associated with the user for a communication service and/or transaction provided to the user, determines if the account has an amount below a predetermined amount, establishes a connection to the receiver to send the requesting message to the user at the receiver to request top up of the account such that the amount in the account is at or above the predetermined level (col. 8 lines 25-46), and receives the response message from the user requesting top up of the account, wherein if the user is authenticated as being associated with the account, the platform receives an additional amount from an another account associated with the user in accordance with the requesting message and tops up the account using the additional amount (col. 8 lines 55 – col. 9 line 30).

Lesley did not disclose wherein the another account is stored on a platform other than the platform having the storage unit. However, Taskett suggested such (col. 5 lines 29-51; col. 6 lines 18-35).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Taskett into view of Lesley in order to obtain authorization for the fund transferring transactions.

Lesley did not clearly disclose whether the additional fund is withdrawn or debited from the other account in real-time. However, Walker suggested a prepaid calling card account having a linked credit account that continuously recharge the prepaid account. Thus, it is clearly suggested debiting from the linked credit account in real-time.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Walker into view of Lesley and Taskett in order to enhanced funding transactions.

Consider claim 16, Lesley teaches wherein the processor further receives from the user a password unique to the user for use in verification, and provides the received password to a verification module for use in authenticated that the user is associated with the account (col. 9 lines 7-30).

Consider claim 17, Lesley teaches the method of claim 7 comprising a computer readable medium included with instructions (see Fig. 1)

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2643

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:

Customer Service Window

Randolph Building

401 Dulany Street

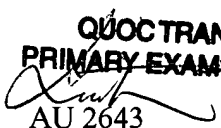
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

**QUOCTRAN**  
**PRIMARY EXAMINER**

  
AU 2643

November 13, 2005